UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,208	02/08/2000	Katherine Betz	YO999-547	2257

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William E. Lewis
Ryan & Mason LLP
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER
OSMAN, RAMY M

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on

sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-6,8-10,12-18 and 20-25 are rejected under 35 U.S.C. 102(b) as being

anticipated by Doyle et al. (U.S. Patent No. 5,838,906).

Doyle teaches the invention as claimed including an apparatus, a method and a system for

use in a client/server system of reducing interactions between a client and server in association

with an application being accessed by the client at the server (see Doyle, Abstract).

3.   In reference to claims 1,13 and 25, Doyle teaches the above method comprising the steps

of:

Configuring the server to store a model associated with the application and to maintain

view-generating and controller logic associated with the application (columns 6 lines 49-67,

Doyle discloses embedding program objects and maintaining display and controlling objects

associated)

Configuring the client to store at least a subset of the model associated with the

application and to maintain at least a subset of the view-generating and controller logic

associated with the application, wherein one or more portions of the application are performed at

the client without the client having to interact with the server (columns 9 lines 1-45 & column 11

lines 40-67, Doyle discloses a subset of the application resident on the client which has program

objects and maintains a subset of display and control objects, wherein their functionality is

performed at the client).

4.   In reference to claim 2 and 14, Doyle teaches the method of claim 1 and 13 wherein the

client and server communicate over a HyperText Transport Protocol network (columns 9 lines

45-60, Doyle discloses communicating using HTTP).

5.   In reference to claim 3 and 15, Doyle teaches the method of claim 1 and 13 wherein the

client performs the one or more portions of the application in accordance with browser software

running thereon (columns 9 lines 1-45, Doyle discloses a browser client used to access and run

the data objects).

6.   In reference to claim 4 and 16, Doyle teaches the method of claim 3 and 15 wherein the

configuring step further comprises the step of partitioning a screen area associated with the

browser software into frames (columns 16 lines 5-30, Doyle discloses partitioning the screen to

have a window within a browser window).

7.   In reference to claim 5 and 17, Doyle teaches the method of claim 4 and 16 wherein the

at least a subset of the model, the view-generating and the controller logic associated with the

application are associated with at least one frame and one or more views for display in

accordance with the application are associated with at least another frame (columns 16, Doyle

discloses at least a subset of the program objects, the display and the control objects are all

associated with at least one panel window).

8.   In reference to claim 6 and 18, Doyle teaches the method of claim 5 and 17 wherein the

at least one view frame is a visible frame (columns 16, Doyle discloses at least one panel

window that is visible).

9.   In reference to claim 8 and 20, Doyle teaches the method of claim 4 and 16 wherein the

configuring step further comprises forming at least one frame with which

application-independent view-generating logic and controller logic is associated (column 15 lines

40-67 & columns 16, Doyle discloses an interactive window panel which has display and

controller objects associated with it).

10.   In reference to claim 9 and 21, Doyle teaches the method of claim 8 and 20 wherein the

at least one application-independent view-generating logic and controller logic frame further has

an application-independent model associated therewith (column 15 lines 40-67 & columns 16,

Doyle discloses an interactive window panel which has display and controller objects associated

with it).

11.   In reference to claim 10 and 22, Doyle teaches the method of claim 8 and 20 wherein the

at least one application-independent view-generating logic and controller logic frame serves as

an application programming interface for developing views to be displayed in accordance with

the application (columns 12 & 16, Doyle discloses window panels and a Mosaic/External

Application Program Interface (MEAPI) for developing views for display).

12.   In reference to claim 12 and 24, Doyle teaches the method of claim 1 and 13, wherein the

at least a subset of the model, the view-generating and the controller logic associated with the

application are downloaded from the server to the client upon demand (columns 9, Doyle

discloses subsets of the application being retrieved from the server and sent to the client).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14.   Claims 7,11,19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Doyle et al. (U.S. Patent No. 5,838,906) in view of Dresel et al. (U.S. Patent No. 6,170,019).

15.   In reference to claim 7 and 19, Doyle teaches the apparatus of claim 5 and 17 above.

Doyle fails to teach wherein the at least one frame associated with the at least a subset of the

model, the view-generating logic and the controller logic is not a visible frame. However, Dresel

teaches hidden frames containing data and applications (column 5).

It would have been obvious to one having ordinary skill in the art to modify Doyle by

making at least one frame associated with the at least a subset of the model, the view-generating

logic and the controller logic a hidden frame as per the teachings of Dresel so that data can be

stored and modified and used for updating the visible frame.

16.   In reference to claim 11 and 23, Doyle teaches the apparatus of claim 10 and 22 above

wherein the views are implemented in accordance with the HyperText Markup Language. Doyle

fails to teach and the application programming interface is implemented in accordance with the

JavaScript language. However, Dresel teaches API's and applets written in JavaScript and Java

language (columns 5 & 6).

It would have been obvious to one having ordinary skill in the art to modify Doyle by

making the application programming interface in JavaScript as per the teachings of Dresel so that

online applications and functions can be made available over the Internet.

Response to Arguments

17.   Applicant's arguments filed 1/08/04 have been fully considered but they are not

persuasive.

18.   Applicant argues that Doyle fails to teach claims 1-6,8-10,12-18 and 20-25 because

"there is no disclosure about having the server maintain view-generating and controller logic".

Doyle discloses "a hypermedia document received over the network from the server" (column 6

lines 56-57). This conveys that the server has to at least maintain the hypermedia document,

which has view-generating and controller logic embedded in it (column 6 lines 49-67).

19.   In response to applicant's argument, regarding claims 7,11,19 and 23, that there is no

suggestion to combine the references, the examiner recognizes that obviousness can only be

established by combining or modifying the teachings of the prior art to produce the claimed

invention where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347,

21 USPQ2d 1941 (Fed. Cir. 1992).

For claims 7 and 19, Dresel teaches a browser application with visible frames and hidden frames (column 5 lines 5-15). The visible frames are updated/modified and overwritten. The hidden frame (figure 1, #44) is not overwritten during user input, therefore any critical data which needs to be preserved is stored in hidden frame (#44) (column 5 lines 15-25). Thus it would have been obvious for having ordinary skill in the art to modify Doyle so that the visible frame can be modified while the hidden frame can store critical data, like hypermedia documents, which need to be preserved.

For claims 11 and 23, Dresel teaches implementing browser application in accordance to JavaScript for the benefit of displaying on Netscape Navigator and other browsers over the Internet (column 4 lines 65-67 and column 5). It would have been obvious for one having ordinary skill in the art to modify Doyle so that the application can be accessible to a variety of browsers over the Internet.

20.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050.

The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
March 11, 2004

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100